

Minutes of a Regular Meeting Town of Los Altos Hills PLANNING COMMISSION

Approved May 5, 2011

THURSDAY, March 3, 2011, 7:00 p.m.
Council Chambers, 26379 Fremont Road

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

The regular meeting of the Planning Commission was called to order at 7:00 p.m. in the Council Chambers at Town Hall.

Present: Chairman Abraham and Commissioners: Clow, Collins, Harpootlian, and Partridge
Absent: none
Staff: Debbie Pedro, Planning Director; Richard Chiu, City Engineer; Steven Mattas; City Attorney; Brian Froelich, Associate Planner; Nicole Horvitz, Assistant Planner; and Victoria Ortland, Planning Secretary

2. PRESENTATIONS FROM THE FLOOR - none

3. PUBLIC HEARINGS

Planning Commission Ex Parte Contacts Policy Disclosure: Commissioner Harpootlian had met with a neighbor regarding Item #3.3.

Chairman Abraham reordered the agenda to review Item 3.3 as the second public hearing of the meeting.

- 3.1 LANDS OF ZHONG, 26131 Altadena Drive; File #6-11-MISC; A request for a Certificate of Correction to remove a required 76 foot building setback recorded on the Final Map for septic field expansion purposes. The property is now served by the Los Altos Basin Sewer. CEQA Review: Categorical Exemption per Section 15305 (staff-Brian Froelich).

Brian Froelich, Associate Planner, presented the application for a Certificate of Final Map Correction for the property at 26131 Altadena Drive. The Record of Survey map, from 1955, recorded a 76 foot building setback for future septic system leach line expansion. The 76 foot setback is no longer needed as the property is now served by sanitary sewer. The proposal would remove the 76 foot building setback line from the Recorded Map.

OPENED PUBLIC HEARING

Nicholas French, representative for the applicant, explained that the property owner's intent was to remove the obsolete 76 foot setback and establish a standard setback.

CLOSED PUBLIC HEARING

MOTION MADE, SECONDED, AND PASSED BY VOICE VOTE: Motion made by Commissioner Harpootlian and seconded by Commissioner Clow to forward a recommendation to the City Council to approve the Certificate of Correction to amend the final map.

AYES: Commissioners: Clow, Collins, Harpootlian, Partridge, and Chairman Abraham
NOES: none

This item will be forwarded to a future City Council meeting.

3.3 INITIAL STUDY AND NEGATIVE DECLARATION FOR THE LOS ALTOS HILLS/STANFORD TRAIL IMPROVEMENT PROJECT, Arastradero and Page Mill Roads between Purissima and Baleri Ranch Roads; Project includes the restoration and construction of walking paths, bike lanes, a retaining wall, and a free-span pedestrian bridge across Matadero Creek. CEQA Review: Mitigated Negative Declaration (staff-Debbie Pedro).

Commissioner Partridge recused himself from this item.

Debbie Pedro, Planning Director, presented the staff report explaining that under Stanford University's General Use Permit and Community Plan Agreement with Santa Clara County, Stanford had agreed to develop the trail alignments shown in the 1995 Santa Clara County Trails Master Plan. Stanford notified Los Altos Hills that they had entered into an agreement with Santa Clara County, which required Stanford to pay for the improvements of the trails. In March 2010, the City Council considered the trail improvement opportunity and formed a subcommittee consisting of Councilmember Ginger Summit; City Manager; Carl Cahill; City Engineer, Richard Chiu; and Planning Director, Debbie Pedro to work with the Stanford team on the construction options. In November 2010, the City Council approved a trail improvement agreement between the Town and Stanford which obligated Stanford to spend up to \$1.05 million on the trail project.

The proposed trail improvement project begins at the intersection of Arastradero and Purissima Roads, continues along Arastradero Road under the 280 freeway to Page Mill Road, crosses Page Mill Road back onto Arastradero Road, and ends near Tracy Court. The project includes three major types of improvements: the reconstruction of existing pathways, the construction of new pathways, and bike lane striping and road widening. The proposed project is consistent with the Los Altos Hills Master Path Map and General Plan Pathways, Open Space, and Recreation Elements which call for the regional connection of Town paths. The Town's pathway system is intended primarily for use by residents; however, it should connect to path and trail systems of neighboring jurisdictions and include the linkage from Page Mill Road to Arastradero Preserve.

Commissioner Collins asked about the timeframe for completing the path improvements as a number of Town residents and committee members wanted more time to examine the plans and project.

Debbie Pedro explained that a City Council public hearing would be held after the Planning Commission's public hearing.

Commissioner Collins asked, considering the width of Page Mill Road, if the bike striping would be marked along the entire improvement route of the road.

Debbie Pedro replied that there was not enough road width to install bike lane striping between Berry Hill Lane and Baleri Ranch Road.

Commissioner Clow asked if there were plans to widen Page Mill Road in the narrow sections. He felt that the construction of the pedestrian bridge would allow for a few more feet of width for a bike lane.

Richard Chiu, City Engineer, explained that with this project there were no plans to widen the road at the bridge. Bicycle traffic along the narrow section of Page Mill Road had been discussed by staff and the City Council and potential funding sources to address the concerns are being examined. The bridge was in Caltrans right of way.

Chairman Abraham asked if the off road native path along Page Mill Road would be upgraded and if any study had been conducted regarding the increase in pathway usage.

Debbie Pedro replied that the native path would be improved to a Type IIB pathway and there were no projections for increased usage.

Commissioner Clow felt the narrow bridge was a danger to bicyclists as they squeeze together to cross the narrow bridge along with vehicle traffic. If pedestrians and equestrians could be routed over a pedestrian bridge along the existing pathway it may be possible to utilize the current dirt path on the vehicle bridge for bicyclists.

Richard Chiu said that staff was working with consultants to develop conceptual plans for such a project to search for grant funding.

Chairman Abraham wondered if the dangerous narrow bridge could be completely replaced with a new bridge.

Richard Chiu said that a bridge replacement would be cost prohibitive for the project.

Commissioner Harpootlian thought the Planning Commission should not be restricted by cost if the outcome was the right thing to do.

Steve Mattas, City Attorney, stated that the Planning Commission was charged with making a recommendation to the City Council on the Negative Declaration and mitigation measures identified therein. The Commission can pass on other issues they believe important for City Council to consider during their consideration of the Negative Declaration; there are no constraints to the dollar limit in the agreement in terms of the Commission's recommendation. However, there is a binding agreement between Stanford and Los Altos Hills with limits of Stanford's obligation for cost and construction of the trail.

Commissioner Harpootlian commented that the Pathways Committee recommendation was dated March 23, 2010. He asked if the Pathways Committee had reviewed the project plans since then.

Debbie Pedro replied that the Pathways Committee had been keep apprised of the project, but had not reviewed technical drawings. The subcommittee reviewed the plans and in March, 2010, Councilmember Summit had reported to the Pathways Committee on the status of the trail project as a whole.

OPENED PUBLIC HEARING

Jitze Couperus, Page Mill Road, commented that the Los Altos Hills/Stanford Trail was very similar to the formerly proposed “De Anza Trail” which had been soundly defeated. The purpose of that trail was also for connection of the Town’s trails into a wider trail system. The Los Altos Hills trail is the vital connection link between Palo Alto Arastradero Preserve and the Stanford lands. People travel from many areas to walk the trails and need adequate parking areas. The new project will provide a new public access point at Purissima and Arastradero Roads to walk Stanford’s new hill open space. The environmental review documents do not address the issue of providing adequate parking.

Edwina Cioffi, Baleri Ranch Road, acting as spokesperson for the residents of Baleri Ranch Road, said the homeowners had little awareness of the project. The residents of Berry Hill Lane would also be impacted by the trail; she had not had the opportunity to consult with them. They saw no reason to develop the pathway with the bridge over Matadero Creek when Page Mill Road could be utilized if the existing bridge was fixed.

Chairman Abraham asked Edwina Cioffi if she would be negatively affected by the increased number of cars parking along Baleri Ranch Road by people utilizing the improved pathway. He asked if she had received written notice of the public hearing for the project.

Edwina Cioffi said the pathway created an invitation for people to park along the roadside. The access created by the off-road portion of the pathway was a safety concern for property owners; many homes on Baleri Ranch Road and Berry Hill Lane had been burglarized. She confirmed that she had received a public hearing notice. She expressed concern that the proposed 70-foot pedestrian bridge would have adverse effects on the habitat of the many wildlife species that inhabit Matadero Creek and the surrounding land. The area also serves as a passage corridor for deer and other animals, especially when serving as the area’s last water resource in the dry season.

Sue Welch, Pathways Committee, stated that the Pathways Committee did not have the opportunity to review the latest plans for the Stanford Trail project; therefore the Committee had made no updated recommendation.

Nancy Couperus, Open Space Committee, stated that the Open Space Committee had not been advised about the project and the potential impact on the important riparian area along the Matadero Creek wildlife corridor. The Open Space Committee had concerns about the proposed bridge over Matadero Creek and future impact to the 20 species of special concern in the area. She hoped that the Mitigated Negative Declaration would not be approved until residents and Town Committees have had time to properly review the project. She cautioned that the Town’s

horse community utilizes Arastradero Preserve extensively and should be considered to ensure a safe travel route.

CLOSED PUBLIC HEARING

Commissioner Clow asked staff if a parallel bridge close to the existing bridge on Page Mill Road had been considered.

Richard Chiu, City Engineer, stated that the concept had been studied. Because the creek overtops the channel onto the roadway, an elevated, longer bridge would need to be constructed to rise above the flood elevation. Overhead PG&E utility lines would necessitate accessing private property for bridge construction and the area is in the CalTrans right of way.

Debbie Pedro stated that the new bridge was proposed to direct equestrian and pedestrian traffic away from the Balari Ranch Road bridge and the existing pathway.

Commissioner Harpootlian asked if research had been conducted to estimate the increased traffic on the improved pathways.

Jim Inglis, representative for Stanford University, was not aware of projected estimates for increased traffic in pathways users.

Commissioner Collins inquired about the agreement with Stanford to pay for the pathway improvements and the choice of route of the path.

Jim Inglis confirmed that the proposed trail did serve as a connection to the other sections of the trail system that currently exist. The Stanford trails are strictly pedestrian and do not allow use by equestrians.

Sue Welch, Pathways Committee, said that according to her research done for the year 2005, approximately 250 thousand people (per the gate counters) per year visited the Stanford dish area gaining entrance through both gates.

Commissioner Harpootlian had serious concerns about the project. He felt that the proposed trail had the potential to provide access for a huge number of people to the Los Altos Hills pathways system, mainly via the Balari Ranch Road area. The Town established the pathways of Los Altos Hills for local use; the possibility exists that 800 more people per day may use the pathway system. Parking may be an issue with the proposed pathway improvements and any future trails in the area that Stanford may build. He felt that safety along the dangerous bridge section of Page Mill Road was not being adequately considered in the project; especially with the increase in usage the improved pathways will encourage. Not addressing the bridge make this project unacceptable and the proposed changes to Arastradero Road an unnecessary expense.

Commissioner Collins felt the Pathways and Open Space Committees should review the project before a recommendation of support can be made.

Commissioner Clow said a major theme in the Town's General Plan is the desire to retain a rustic, natural environment in the Town. The improved trail would provide a "trail head" for surrounding communities to use the Town's pathways. The residents who purchased their homes in Los Altos Hills don't have the primary purpose to provide recreational opportunities for nonresidents. The project would increase urbanization in the neighborhoods with more traffic in and the roads turning into parking lots. The potential exists for even greater numbers of pathways patrons coming into Town as the path improvements make the paths even more attractive. Bicycle traffic would increase greatly. The Town's overall environment should be considered as the environment will be affected by the trail alignment. He asked staff to, as part of the environmental review; examine the impacts to the General Plan.

Commissioner Harpootlian added that over 200 hundred households would be directly affected by the potential for increased traffic along the pathway in the project area.

Commissioner Clow felt that the frontage of every property near the pathway was a prospective parking space to access the path.

Chairman Abraham concurred with his fellow Commissioner's statements. In regard to the environmental review, he felt that the impact to wildlife had not been addressed properly with the proposed upgrade of the native off-road pathways near Baleri Ranch Road to Type 2-B paths. The parking congestion had not been fully considered. The General Plan states that the pathways are for use by the residents of the Town of Los Altos Hills and to connect with other path systems in Santa Clara County. The path as envisioned now would primarily serve Palo Alto and Stanford University. The section of the off-road path near Baleri Ranch Road was inconsistent with the General Plan. Traffic concerns had not been adequately addressed, whether horse, foot, or vehicle. There were no use statistics for the new trails at Stanford when they open. He could not support the project as presented because of the devastating effect it would have over time to the residents that live near the Page Mill Road and Arastradero Road pathways.

Commissioner Clow felt that public hearing notices should be sent to the homeowners anticipated to be affected by increased vehicle parking on their streets to access the pathway.

Commissioners Clow, Harpootlian, and Chairman Abraham did not support the environmental review document as written.

MOTION MADE, SECONDED, AND PASSED BY ROLL CALL VOTE: Motion made by Commissioner Collins and seconded by Commissioner Harpootlian to forward a recommendation to the City Council to consider, during their review of the Mitigated Negative Declaration, input from the Pathways Committee and the Open Space Committee, and information provided regarding the following issues identified by the Planning Commission:

- Identify current and forecast usage of the trails, parking, and their impact on local neighborhoods
- The potential safety impacts of additional bicycle traffic at the Page Mill Road vehicular bridge

- The impacts of increased foot traffic that may result from upgrading the existing native paths to Type IIB paths
- The impact of non residents accessing local LAH pathways from the proposed trail

AYES: Commissioners: Clow, Collins, Harpootlian, and Chairman Abraham

NOES: none

ABSTAIN: Commissioner Partridge

This item will be forwarded to a future City Council meeting.

- 3.2 LANDS OF LOS ALTOS HILLS (Applicant- T-Mobile Wireless), Public road right-of-way in front of 12400 Stonebrook Drive; File #248-10-CUP-ND-SD; A request for a Site Development Permit and Conditional Use Permit to construct a new wireless communications facility on an existing PG&E telephone pole. CEQA Review: Mitigated Negative Declaration (staff-Nicole Horvitz).

Nicole Horvitz, Assistant Planner, presented the staff report for a new wireless communication facility proposed for installation on an existing PG&E pole. The 32 foot utility pole is located within the public right-of-way, in front of 12400 Stonebrook Drive. The height of the pole would be increased to 43 feet with three, 27 inch tall flush mount antennas installed at the top enclosed by a 16 inch diameter radome. Four equipment cabinets would be mounted on the pole, beginning seven feet from grade, extending out no more than nine inches. All new equipment would be painted a color to blend with the existing pole. The applicant conducted neighborhood outreach with a letter explaining the project and welcoming comments; no neighbor response was received.

Chairman Abraham said he felt it was a necessity that the conditions of approval limit the number, location, and dimensions of the equipment cabinets to exactly what was shown on the submitted plans.

Staff replied that the conditions of approval could include that restriction.

Commissioner Partridge thought the wireless facility when installed on the utility pole would be highly visible.

OPENED PUBLIC HEARING

Dana Aguirre, Representative for T-Mobile, explained that the proposed wireless facility was an “infill” site and would provide improved coverage for the residential neighborhood along Stonebrook Drive. The utility pole at this location was selected by PG&E for T-Mobile’s wireless facility after evaluation of several poles in the area.

CLOSED PUBLIC HEARING

Commissioner Partridge did not support the project and expressed concern over the small projected benefit to the service area. He was not in favor of putting wireless facilities on utility

poles for aesthetic reasons. He felt that the noticing of the project to only properties within 500 feet had been inadequate because many people from the area drive past the pole and are therefore impacted.

MOTION MADE, SECONDED, AND PASSED BY ROLL CALL VOTE: Motion made by Commissioner Harpootlian and seconded by Commissioner Clow to forward a recommendation to the City Council to adopt the Initial Study and Mitigated Negative Declaration in Attachment 3; approve the Site Development Permit and Conditional Use Permit subject to the conditions of approval and findings for approval in Attachments 1 and 2; and include the amendment to condition of approval 3 (as stated in the staff report); and require the size of the equipment cabinets not to exceed the dimensions shown on the plans.

AYES: Commissioners: Commissioner Clow, Collins, Harpootlian, and Chairman Abraham
NOES: Commissioner Partridge

This item will be forwarded to a future City Council meeting.

- 3.4 **NOISE ORDINANCE AMENDMENT.** Amendments to Title V, Chapter 2 (Noise Ordinance) of the Los Altos Hills Municipal Code. Proposed amendments include changing the scale of noise measurement from the C-weighting network to the A-weighting network and minor text changes to the Ordinance. CEQA Review: exemption per Section 15061 (b) (3) (staff-Brian Froelich).

Brian Froelich, Associate Planner, presented the staff report for the Noise Ordinance update to the Los Altos Hills Municipal Code, Title 5; Chapter 2. Program 1.1 of the General Plan requires a change in the standard of measurement from the C scale to the A scale. Program 1.4 of the General Plan requires that standards be developed for air conditioners, generators, and other continuous noise producing equipment that is typical of a single family residence. Simplification and updating of the language in the ordinance was also included in the draft ordinance. Email correspondence from Town resident Roy Woolsey had been received.

Chairman Abraham requested that on page 3 the wording regarding motor vehicles should remain because Department of Motor Vehicles rules only apply to vehicles on the road.

Commissioner Harpootlian asked if items such as leaf blowers were addressed in the ordinance.

Debbie Pedro, Planning Director, explained that leaf blowers were addressed in Chapter 6, under "Domestic Power Tools".

Discussion ensued regarding the morning and evening noise limits for work and socializing.

Commissioner Harpootlian asked if staff would make the wording changes suggested by Roy Woolsey.

Commissioner Partridge asked for improvement to the wording in the animal definition.

OPENED PUBLIC HEARING

Commissioner Harpootlian asked the difference between humans and animals hearing capabilities.

Randy Waldeck, Acoustical Consultant, commented that an animals' hearing was more sensitive than a human's at the higher frequencies. He stated that the A scale was the noise measurement standard used by most cities.

CLOSED PUBLIC HEARING

MOTION MADE, SECONDED, AND PASSED BY VOICE VOTE: Motion made by Commissioner Clow and seconded by Commissioner Collins to forward a recommendation to the City Council to approve the Noise Ordinance Amendments with the following additions:

- Persons and sound producing devices extended to 10 p.m. for daytime periods
- Start of daytime to be changed to 8 a.m. on weekdays and 9 a.m. on weekends and holidays
- Motor vehicles will be included in the table; with the exception of operation on public streets and highways
- Reference made that leaf blowers, weed trimmers, and similar equipment is addressed in Title 5, Chapter 6 of the Municipal Code
- Remove the words "animal" and "dumb animal" from the animal definition

AYES: Commissioners: Clow, Collins, Harpootlian, Partridge, and Chairman Harpootlian
NOES: none

This item will be forwarded to a future City Council meeting.

4. OLD BUSINESS – none

5. NEW BUSINESS – none

6. REPORTS FROM CITY COUNCIL MEETINGS

- 6.1 Planning Commission Representative for February 17 – Commissioner Harpootlian
- 6.2 Planning Commission Representative for March 17 – Commissioner Collins
- 6.3 Planning Commission Representative for April 21 – Commissioner Clow

7. APPROVAL OF MINUTES

7.1 Approval of February 3, 2011 minutes

MOTION MADE, SECONDED, AND PASSED BY VOICE VOTE: Motion by Commissioner Partridge and seconded by Commissioner Harpootlian to approve the February 3, 2011 minutes as presented.

AYES: Commissioners: Clow, Collins, Harpootlian, Partridge, and Chairman Abraham
NOES: none

8. REPORTS FROM FAST TRACK MEETINGS-FEBRUARY 8 AND FEBRUARY 22, 2011

- 8.1 LANDS OF GENCARELLA, 12875 Lucero Lane; File #167-10-ZP-SD-GD; A request for a Site Development Permit for two-story 1,235 square foot addition and a 665 square foot swimming pool (Maximum height: 27'). CEQA Review: Categorical Exemption per Section 15301 (e) (staff-Brian Froelich) (approved with conditions).
- 8.2 LANDS OF THRUN, 13818 Page Mill Road; File #272-10-LM; A request for a Lot Merger to combine two lots. The proposal will result in one (1), 9.256 acre parcel zoned Residential-Agricultural (R-A). CEQA Review: Categorical Exemption per Section 15305 (staff-Brian Froelich) (approved with conditions).

9. REPORTS FROM SITE DEVELOPMENT MEETINGS-FEBRUARY 15 AND MARCH 1, 2011

- 9.1 LANDS OF SINGH, 11267 Magdalena Road; File #222-10-ZP-SD; A request for a Site Development Permit for a landscape screening plan for a 5,675 square foot two-story residence approved on July 2, 2009. CEQA review: Categorical Exemption per Section 15304 (b) (staff-Brian Froelich) (approved with conditions).
- 9.2 LANDS OF STEPHAN, 26062 Todd Lane; File #285-10-ZP-SD; A request for a Site Development Permit for a landscape screening plan for a 683 square foot addition and major remodel approved on July 27, 2010. CEQA review: Categorical Exemption per Section 15304 (b) (staff-Brian Froelich) (approved with conditions).
- 9.3 LANDS OF WYTHER & VITU, 13828 Moon Lane; File #3-11-ZP-SD; A request for a Site Development Permit for a landscape screening plan for a 7,185 square foot two-story residence approved on September 16, 1999. CEQA review: Categorical Exemption per Section 15304 (b) (staff-Brian Froelich) (approved with conditions).

10. ADJOURNMENT

The meeting was adjourned by consensus at 10:17 p.m.

Respectfully submitted,

Victoria Ortland
Planning Secretary